



## COMMENTS & RESPONSES

# Pier 36/Brannan Street Wharf Project

PLANNING DEPARTMENT  
CASE NO. 2009.0418E

STATE CLEARINGHOUSE NO. 2009122058



SAN FRANCISCO  
PLANNING  
DEPARTMENT

Administrative Draft Number <b>01</b>	Draft EIR Publication Date:	February 9, 2011
	Draft EIR Public Hearing Date:	March 24, 2011
	Draft EIR Public Comment Period:	February 9, 2011 - March 28, 2011
	Final EIR Certification Hearing Date:	June 16, 2011





# SAN FRANCISCO PLANNING DEPARTMENT

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June 1, 2011

To: Members of the Planning Commission and  
Interested Parties

From: Bill Wycko, Environmental Review Officer

Re: Attached Comments and Responses to Draft Environmental Impact Report  
Case No. 2009.0418E: Pier 36/Brannan Street Wharf

The attached Comments and Responses document, responding to comments made on the Draft Environmental Impact Report (DEIR) for the Pier 36/Brannan Street Wharf Project, is presented for your information. This document, along with the DEIR, will be considered by the Planning Commission during a public meeting on June 16, 2011, at which time the Commission will determine whether to certify the EIR as complete and adequate.

We are sending this Comments and Responses document to you for your review prior to the public meeting. The Commission does not conduct a hearing to receive comments on the Comments and Responses document, since no such hearing is required by the California Environmental Quality Act (CEQA). Interested parties may, however, write to the Commission members or to the President of the Commission at 1650 Mission Street, Suite 400, San Francisco, CA 94103, and express opinions about the Comments and Responses document, or the Commission's decision to certify the completion of the Final EIR for this project. Letters should be sent in time to be received at 1650 Mission Street by Wednesday, June 15, 2011, the day before the Planning Commission meeting on June 16, 2011, at which time EIR certification will be determined.

Please note that if you receive a copy of the Comments and Responses document in addition to the DEIR published on February 9, 2011, you will technically have a copy of the Final EIR. Thank you for your interest in this project.

If you have questions about the attached Comments and Responses document, or about this process, please call **Chelsea Fordham** at (415) 575-9071 or e-mail her at [chelsea.fordham@sfgov.org](mailto:chelsea.fordham@sfgov.org).

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City and County of San Francisco  
Planning Department

## **Pier 36/Brannan Street Wharf Project**

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### **COMMENTS AND RESPONSES**

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### **Planning Department Case No. 2009.0418E**

State Clearinghouse No. 2009122058

June 1, 2011

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**Pier 36/Brannan Street Wharf Project**  
**Draft Environmental Impact Report**

**COMMENTS AND RESPONSES**

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## A. INTRODUCTION

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This document contains public comments received on the Draft Environmental Impact Report (DEIR) prepared for the proposed Pier 36/Brannan Street Wharf Project, and responses to those comments. Also included are staff-initiated text changes and revisions to correct errors found in the DEIR.

Following this introduction, Section B contains a list of all persons and organizations who submitted written comments on the DEIR and who testified at the public hearing on the DEIR held on March 24, 2011.

Section C contains all substantive comments made at the DEIR public hearing before the Planning Commission on March 24, 2011, and comment letters received during the DEIR public review period from February 9, 2011 to March 28, 2011. All comment letters and the transcript of the public hearing on the Pier 36/Brannan Street Wharf Project are presented in their entirety in Appendices 1 and 2, respectively.

The comments and responses (C&R) component of the environmental review process is intended to respond to comments on the adequacy of the approach and analysis in a DEIR in accordance with the California Environmental Quality Act (CEQA). Comments regarding the merits of and concerns about the project should be directed to the Port Commission to assist with its decision making on whether or not to approve the project, a decision that will be made at a public hearing subsequent to certification (determination of adequacy under CEQA) of the Final EIR. Some comments do not pertain to physical environmental issues, but, in some instances, responses are included to provide additional information for use by decision makers.

These comments and responses will be incorporated into the Final EIR as a new chapter. Text changes resulting from comments and responses will also be incorporated in the Final EIR as noted in the responses and in Section E, DEIR Revisions. Deletions of the DEIR text are shown with ~~striketrough~~ and

additions are shown with double underline, except where text is indicated as entirely new to allow for ease of reading.

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## **B. LIST OF PERSONS COMMENTING**

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The following individuals submitted written comments during the public comment period February 9, 2011 through March 28, 2011, and/or provided oral testimony at the public hearing on March 24, 2011, on the Pier 36/Brannan Street Wharf Project DEIR.

### **San Francisco Planning Commission**

Rodney Fong, Planning Commissioner (oral comments, Planning Commission Public Hearing, March 24, 2011)

Kathrin Moore, Planning Commissioner (oral comments, Planning Commission Public Hearing, March 24, 2011)

Ron Miguel, Planning Commissioner (oral comments, Planning Commission Public Hearing, March 24, 2011)

### **Historic Preservation Commission**

Historic Preservation Commission (written comments, March 23, 2011)

### **Public Agencies**

San Francisco Bay Conservation and Development Commission - Ming Yeung (written comments, March 22, 2011)

### **Associations**

San Francisco Architectural Heritage – Mike Buhler (written comments, March 24, 2011).

### **Groups and Individuals**

Katharine Cosovich, resident (written comments, on March 30, 2011)

Russell Hoffman, resident (written comments, on March 4, 2011)

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## C. COMMENTS AND RESPONSES

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All comments received are presented herein by direct quotation, and edited to delete repetition and non-substantive material only. When necessary, minor edits have been made to the public hearing transcript for clarification. Editorial changes to the comments are indicated by square brackets ([ ]).

Comments and responses are organized according to the order of topic areas as they appear in the DEIR and Initial Study/Notice of Preparation.

Each comment is numbered and followed by a corresponding numbered response. The name of the commenter follows each comment in italic font and parentheses, e.g., (*John Smith, written comments*). In some cases, comments that are substantively similar have been grouped and addressed with a single response, or in other cases comments from individual commenter's may be divided among several topic areas.

## GENERAL COMMENTS

### **Comment #1**

“Go for it! We need a park. Long Overdue.” (*Russell Hoffman, written comments*)

### **Response #1**

These comments express general support for the proposed project. They do not address the scope or adequacy of the EIR. The comments will be transmitted to the decision-makers and may be considered in their determination whether to approve, modify, or disapprove the proposed project.

### **Comment #2**

“I just want to make a comment [as I’ve been watching this one for a long time] on the question of support of this project. For everyone who sees the [waterfront] and sees the Port, and sees the dilapidated pier and says, [“Why can't we remove that and put up a park, this is it”]. So [from] all of our work from the [Prop A Bond from a few years ago] this hopefully [is] the fruits of that labor.” (*Commissioner Fong, oral comments*)

### **Response #2**

These comments express general support for the proposed project. They do not address the scope or adequacy of the EIR. The comments will be transmitted to the decision-makers and may be considered in their determination whether to approve, modify, or disapprove the proposed project.

### **Comment #3**

“This project is one part of a much larger open space [strategy which I am quite familiar with] that complements and fills out everything which ties the waterfront together as one kind of thoughtful [developed] project. I do believe that the [historic] preservation [commission concerns] are certainly something which needs to be considered, and I am supportive of their input. And so I am generally quite supportive about where this is going.” (*Commissioner Moore, oral comments*)

### **Response #3**

These comments express general support for the proposed project. They do not address the scope or adequacy of the EIR. The comments from the Historic Preservation Commission are addressed

under Comments and Responses # 9-15 and #21-22. The comments will be transmitted to the decision-makers and may be considered in their determination whether to approve, modify, or disapprove the proposed project.

**Comment #4**

"I am also very supportive of the project. And what we have created in this area is the change from the former use of the port to what we have here now, which is a residential [mixed-use] community. And that type of community, as well as the city itself [can well] well make use of the recreational facilities in this particular area. We talked about having parks and recreational uses [when we talk] of areas such as Treasure Island, Hunter's Point, and other areas in the city where major projects are coming in. This is an area in the city where major projects have already come in and yet that provision was not truly made in the manner it should have been. And to me this is a correction of that. It's not too late, but something that should happen." *(Commissioner Miguel, oral comments)*

**Response #4**

These comments express general support for the proposed project. They do not address the scope or adequacy of the EIR. The comments will be transmitted to the decision-makers and may be considered in their determination whether to approve, modify, or disapprove the proposed project.

## COMPATABILITY WITH ZONING, PLANS, AND POLICIES

### **Comment #5**

“As the DEIR accurately states, the majority of the project would be located within the Commission’s jurisdiction and would require BCDC approval. In addition, the project is located within the detailed planning area of the San Francisco Waterfront Special Area Plan (SAP).”

“The SAP required the creation of the “Brannan Street Wharf” as a major waterfront park in the area of Piers 34 and 36 to serve that South Beach neighborhood. It requires the park to be a minimum of 57,000 square feet in size, extending at least 600 feet along the Embarcadero, and to “accommodate a variety of passive recreational activities and serve as both a local and regional destination.” According to the SAP, pier removal and park construction should result in a net fill reduction of approximately 140,000 square feet. The uses that should be considered for the park to include informal small play fields, tot lots or other facilities for children, viewing area, picnic area, and other uses consistent with a recreational park theme. On water, the SAP encourages transient boat tie-ups, kayaks and other hand held craft launch and landing areas to enliven the adjacent new park. Viewing areas, seating and picnic areas are encouraged, including other appropriate site furnishing such as fountains, interpretative signs, a small amphitheater, and limited accessory commercial uses, such as food carts and small kiosks, appropriately placed so that they do not interfere with the recreational use of the Park. “(Ming Yeung, BCDC, written comments)

### **Response #5**

The proposed project would demolish Pier 36, the Bulkhead Wharf Sections 11, 11a, and 12 and construct a 57,000-square-foot (sq. ft.) public open space known as the Brannan Street Wharf. The Brannan Street Wharf would be wedge-shaped, in a north-south orientation that would vary in width from approximately 10 feet to 140 feet, and would connect alongside The Embarcadero Promenade. The north end of the park would begin south of Pier 30-32 and extend for about 830 feet to a point south of the existing Pier 36. The Brannan Street Wharf would contain a 26,000-sq.-ft. lawn, shade structures, tables, chairs and benches, litter receptacles, drinking fountains, lighting, space for public art installations and an interpretative historical exhibit, and a 2,000-sq.-ft. small craft float with accessible gangway. The DEIR acknowledges on page 28 that the Brannan Street Wharf is located within the San Francisco Bay Conservation and Development Commission (BCDC) *San Francisco Waterfront Special Area Plan* (SAP). The SAP establishes the requirement that the Brannan Street Wharf be constructed within five to 20 years of the issuance of a certificate of occupancy “for the major reuse of Piers 30-32, or a comparable development.” The Port also adopted conforming amendments to its Waterfront Land Use Plan (WLUP).



Therefore, it was determined that the project would not conflict with applicable plans, policies, and regulations, including the SAP.

**Comment #6**

“According to the DEIR, the project would result in a net decrease of approximately 94,800 square feet of Bay fill. The Park would be approximately 57,000 square feet in size, extend approximately 830 feet long along the Embarcadero, and consist of a 26,000-square-foot, 400-foot-long raised lawn, shade structures, tables, chairs, and benches, litter receptacles, drinking fountain, lighting, space for public art installations and an interpretative exhibit, and a 2,000-square-foot small craft float with accessible gangway. The raised lawn would accommodate a variety of passive recreational uses, and a waterside walkway would be designed to orient the park towards the Bay as well as the adjacent South Beach neighborhood.” (*Ming Yeung, BCDC, written comments*)

“Port staff has worked closely with BCDC staff to design a park that is consistent with the policies of the SAP. The project has been reviewed and refined in joint sessions by BCDC’s Design Review Board (DRB) and the Port’s Waterfront Design Advisory Committee. As its last meeting on the project, the DRB supported the design of the park and were satisfied with the proposed public access areas, uses and improvements for the site. BCDC staff believe the size, design, and uses of the park are consistent with BCDC’s SAP. However, further discussion on the Bay fill/removal numbers should be included either in the Final EIR or provided during the permitting process to explain the discrepancy between the amount of Bay fill estimated to be removed in the SAP and the final numbers proposed by the project applicant. Please explain why less fill is being removed than estimated in the SAP.” (*Ming Yeung, BCDC, written comments*)

**Response #6**

As described in more detail in Response #5, the Brannan Street Wharf would accommodate a variety of passive recreational uses consistent with the BCDC *San Francisco Waterfront Special Area Plan* (SAP).

As noted by the commenter, the Brannan Street Wharf design was reviewed by the BCDC’s Design Review Board (DRB), the Port Waterfront Design Advisory Committee (WDAC), and BCDC Engineering Criteria Review Board (ECRB). The Brannan Street Wharf received final design approval at the September 14, 2009 DRB and WDAC joint meeting. As reported in the DEIR, the proposed removal of Pier 36 and Bulkhead Wharf Sections 11, 11a, and 12, and construction of the Brannan Street Wharf would result in a net fill reduction of approximately 94,800 square feet.

C. COMMENTS AND RESPONSES

The Brannan Street Wharf Public Plaza Policy 2 in BCDC's San SAP calls for the removal of Piers 34 and 36, and that such pier removal and park construction should result in a net fill reduction of approximately 140,000 square feet. In 2001, the Port secured BCDC approval to demolish Pier 34, removing approximately 89,600 square feet of bay fill. The proposed demolition of Pier 36 and Bulkhead Wharf Sections 11a, 11 and 12 combined with the Pier 34 removal would yield a net reduction in bay fill of approximately 184,400 square feet, which is greater than the amount required under the SAP.

## CULTURAL AND PALEONTOLOGICAL RESOURCES

### Comment #7

“The Port of San Francisco brought the Pier 36/Brannan Street Wharf Project before the Heritage Issues Committee on November 16, 2010, and our review is based on that iteration of the project. The proposed project would demolish four contributing historic resources to the Port of San Francisco Embarcadero National Register Historic District: Pier 36 and bulkhead wharf sections 11a, 11, and portions of 12. Because the removal of these resources will materially impair the significance of the historic district, we urge the Port to consider augmented mitigation measures to meaningfully compensate for their loss. As explained below, it appears that the new construction of the wharf does not comply with the Secretary of the Interior’s Standards in that it does not significantly relate to the surrounding historic district.”

“Demolition of contributing resources: Pier 36 and bulkhead wharf sections 11a, 11, and portions of 12 are all contributing resources to the Port of San Francisco Embarcadero National Register Historic District. As acknowledged in the DEIR, their removal will result in a significant adverse impact under CEQA that cannot be mitigated to a less than significant level. Nonetheless, we feel that the mitigation measures listed in the DEIR should be augmented to further compensate for their loss.”

“Mitigation measure M-CP-1b calls for salvage of character-defining elements and donation to a local recognized historic preservation organization. While we encourage the salvage of as much historic material as possible, we question whether any local historic preservation organization, including San Francisco Architectural Heritage, has the capacity or space to store and care for salvaged materials. As a result, this proposed mitigation measure appears to be infeasible.”

“As an alternative, we propose that salvage materials be incorporated into the interpretive exhibit and signage required by mitigation measure M-CP-2. Placing the salvage materials in situ will help to convey the significance of the waterfront and will allow for more dynamic interpretive displays. A similar approach has recently been implemented by the Bay Trail Project in Oakland. Historic and wayfinding markers placed along the trail are installed on posts made of recycled rail, relating them to the shipping and rail history of the area. The markers “form a virtual outdoor museum” and could serve as a model for incorporation of salvaged material. See attached article from Oakland Heritage Alliance newsletter.”  
(Mike Buhler, San Francisco Architectural Heritage, written comments)

### Response #7

The DEIR identifies (on page 59 and elsewhere) that the proposed project would result in significant and unavoidable impacts from the demolition of four contributing resources to the Port of San Francisco Embarcadero Historic District. The demolition of Pier 36 and three portions

of bulkhead wharf would materially impair these historical resources. However, as discussed under Impact CP-4, a review of past, present, and future projects within the Port of San Francisco Embarcadero Historic District indicates that the proposed project would not result in potentially significant cumulative impacts to historic architectural resources and would not substantially impair the District.

It is acknowledged in the DEIR (on page 59 and elsewhere) that Mitigation Measure M-CP-1b, Salvaged Materials, would not mitigate the impacts to historic resources to less-than-significant. Mitigation Measure M-CP-1b requires the Port to consult with the Planning Department to determine whether there are character-defining features of the resources that are of interest and that can be feasibly salvaged prior to demolition. Additionally, Mitigation Measure M-CP-1b requires the Port to provide notice of salvage opportunities to local recognized historic preservation organizations that may have an interest in salvage of historic elements of the resources that would potentially be donated to them by the Port. The Port recognizes that local historic preservation organizations have resource limitations that may prevent them from exercising their interest in the salvage of historic materials from these resources. As a result the Port proposes to further study the potential salvage and incorporation of historic materials into the proposed construction of the Brannan Street Wharf. Areas of study include re-use of steel roof trusses as shade structure or sculptural elements and incorporation of historic materials in interpretive displays. Upon further study of the feasibility of salvage of the steel roof trusses, there will be consultation between Port and the Planning Department to determine whether the potential reuse of these historic materials would consistent with the *Secretary of the Interior Standard (Secretary Standards)*. Additionally, potential re-use of the steel trusses for shade structure or sculptural elements may require further review by Waterfront Design Advisory Committee (WDAC) and the BCDC Design Review Board (DRB). At a minimum Mitigation Measure M-CP-1b requires the Port to incorporate two salvaged materials into the design of the Brannan Street Wharf, the historic neon identification sign and the historic rail spur.

Mitigation Measures M-CP-2 requires the Port to include an interpretive exhibit that would consist of narrative text, maps and photographs. The exhibit would interpret and summarize the historical significance of the Port of San Francisco Embarcadero Historic District, significant maritime events, and the more localized history of the South Beach area of the waterfront including the construction and operation of Pier 36 and the Belt Railroad. The Port would also be

required to interpret the site's history by incorporating a commemorative rail mark in the deck of the new Brannan Street Wharf in the approximate location of the existing historic rail spur on the south apron of Pier 36. Rail markers have been used successfully in rehabilitation projects at Pier 1, 3 and 5 to commemorate historic rail spurs on pier decks, aprons and within transit sheds. The interpretative historic exhibit would also include a narrative of the historical importance of this rail mark in the Brannan Street Wharf design. Mitigation M-CP-2 has been updated to reflect that a commemorative rail mark will be incorporated into the landscape design of the Brannan Street Wharf and a narrative of the rail mark will be included in the interpretative historic exhibit in Draft EIR Revisions, beginning on page C&R. 29 of this Comments and Responses Document.

### **Comment #8**

"Impact of new construction on historic district: The DEIR acknowledges that the proposed wedge shape and orientation of the new wharf park is a departure from the rectangular shape and perpendicular orientation of contributing resources of the district. Additionally, the design appears to be inconsistent with the character of the Port of San Francisco Embarcadero Historic District and would obscure the seawall, an important feature that unifies the district. We agree with these findings, and feel that the new construction does not meet the Secretary of Interior's Standards with regard to shape and orientation, as it conflicts with the designed layout of the waterfront and piers."

"Mitigation measures M-CP-1b and M-CP-2 require interpretive elements for the new design, but this would not mitigate the impact to a less than significant level. We suggest augmented mitigation to further reduce this impact. The M-CP-2 mitigation calls for inclusion of an interpretive historical exhibit as part of the proposed landscape design. This interpretive display should include background on the entirety of the historic district instead of a limited focus on the South Beach area, as the project will impact the district as a whole. It should also contain a diverse breadth of histories, including labor history, Chinese history, and rail history. *"(Mike Buhler, San Francisco Architectural Heritage, written comments)*

### **Response #8**

As noted by the commenter, the DEIR identifies on page 60 that the proposed Brannan Street Wharf would be inconsistent with the character of the Port of San Francisco Embarcadero Historic District and would result in a significant and unavoidable impact. Mitigation Measures M-CP-2 requires the Port to include an interpretive exhibit that would consist of narrative text, maps and photographs. The exhibit would interpret and summarize the historical significance of the Port of San Francisco Embarcadero Historic District, significant maritime events, and the more localized history of the South Beach area of the waterfront including the construction and

operation of Pier 36 and the Belt Railroad. In response to this comment, the Port of San Francisco has agreed to supplement the design of the interpretative historical exhibit by conducting outreach to identified stakeholders in the subject areas of labor, Chinese immigration, and rail history. This outreach effort would be designed to solicit input from experts in these respective areas of history for consideration in the definition of the scope and content of the interpretative historical exhibit. Port staff has established a conceptual design for the exhibit including the approximate location, size and dimensions and will use this information in its outreach and consultation process. In addition, Port staff has developed a generalized concept for the interpretative exhibit that would allow the public to follow the waterfront through history by providing interpretive panels at significant periods of the waterfront's history. Mitigation M-CP-2 has been updated to reflect that the interpretive exhibit should reflect the entirety of the Port of San Francisco Embarcadero Historic District, as well as provide a more localized history of South Beach, Pier 36, and the Belt Railroad. These changes are reflected in the Draft EIR Revisions on page C&R. 29 of this Comments and Responses Document.

**Comment #9**

"The HPC agreed with the assessment made in the DEIR that the proposed project is not compatible with the historic district." (*Historic preservation commission, written comments*)

**Response #9**

The comment is expressing concurrence with the conclusions presented on page 60 of the DEIR. The comment will be transmitted to the decision makers and may be considered in their determination whether to approve, modify, or disapprove the proposed project.

**Comment #10**

"The HPC is not comfortable with the determination made in the DEIR that there is no cumulative impact simply because the previous projects in the historic district were found to be in compliance with the Secretary of Interior's Standards. The HPC points out that a historic resource, the adjacent pier (Pier 34), has already been lost." (*Historic preservation commission, written comments*)

**Response #10**

The DEIR states under Impact CP-4 (page 64 – 67) that the proposed project in combination with other past, present, and foreseeable projects would result in less-than-significant cumulative

impacts to historic architectural resources. The DEIR states that a cumulative impact would result from the proposed project provided that:

*“A cumulative impact is defined as the combined effects of the proposed project and other past, present and reasonably foreseeable projects with a defined geographic area of impact, in this case the Embarcadero Historic District.”*

This definition is consistent with *CEQA Guidelines* Section 15355 which states that “Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment, which results from the incremental impact of the project when added to other closely related past, present, and reasonably probable future project. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. “ Using this method of analysis it was determined that a conservative time period for analysis of past projects occurring within the Port of San Francisco Embarcadero Historic District would be the year 2000 because this was the year when the District was formally determined eligible for listing in the National Register of Historic Places. The cumulative analysis also determined that the Port’s policy requirements for the use of the *Secretary Standards* has resulted in projects over the past 10 years to be determined consistent with the *Secretary Standards*. The cumulative impact analysis conducted an analysis of past, present, and foreseeable projects to determine if there is a cumulative impact; and does not rely upon just the determination that past project were found to be in compliance with the *Secretary Standards*. Therefore, based upon cumulative projects that have occurred within the geographic area of the Port of San Francisco Embarcadero Historic District since the year 2000, combined with all present, and foreseeable project, it was determined that a significant cumulative impact to the District does not exist, therefore, the proposed project would not contribute to a cumulative impact.

Additionally, the loss of Pier 34 was appropriately not included in the DEIR cumulative impact analysis because Pier 34 was never formally listed as eligible for the National Register because it lacked integrity and had severe structural damage. Additionally, the remnant piles and decking of Pier 34 were removed in 2001 (prior to its demolition it was condemned for several years).

**Comment #11**

“The HPC agreed documentation of previous and current projects is needed in order to evaluate new proposals and their cumulative impacts to the historic district in the future.” (*Historic Preservation Commission, written comments*)

**Response #11**

The Port recognizes the merit of documenting the conditions of the Port of San Francisco Embarcadero Historic District in order to evaluate the conditions of the District over time and to evaluate the cumulative impacts resulting from current and future projects. Additionally, all future projects undertaken by the Port of San Francisco would be required to undergo separate environmental review, which would require analysis of impacts to cultural resources and the Port of San Francisco Embarcadero Historic District.

**Comment #12**

“The HPC noted that there is considerable cost associated with long-term storage / curatorship of salvage materials. The HPC agreed that salvage materials, if and when possible, should be used in on-site interpretive displays.” (*Historic Preservation Commission, written comments*)

**Response #12**

The comment is noting that the costs associated with storage and curatorship of salvaged materials can be considerable and reuse on-site should be considered. As discussed above in Response #7, the Port proposes to further study the potential salvage and incorporation of historic materials into the proposed construction of the Brannan Street Wharf. Areas of study include re-use of steel roof trusses as shade structure or sculptural elements and incorporation of historic materials in interpretive displays. At a minimum Mitigation Measure M-CP-1b requires the Port to incorporate two salvaged materials into the design of the Brannan Street Wharf, the historic neon identification sign and historic rail spur.

**Comment #13**

“The HPC agreed that the Interpretative Program should be prepared by a qualified consultant(s) meeting the minimum qualifications.” (*Historic Preservation Commission, written comments*)

**Response #13**

As discussed above under Response #8, the Port of San Francisco staff will conduct outreach to identified stakeholders in the subject areas of labor, Chinese immigration and rail history to determine the appropriate breadth and historical context for the interpretive historical exhibit for



the proposed Brannan Street Wharf landscape design. This outreach effort would be designed to solicit input from experts in these respective areas of history for consideration in the definition of the scope and content of the interpretative exhibit.

**Comment #14**

“The HPC agreed that the Interpretative Program should include the history of the entire Port of San Francisco Embarcadero Historic District, so that the site is viewed in the broader context of the district to which Pier 36 contributes.” (*Historic Preservation Commission, written comments*)

**Response #14**

Please see Response #8 which describes the generalized concept for the interpretative historic exhibit. The exhibit would interpret and summarize the historical significance of the Port of San Francisco Embarcadero Historic District, significant maritime events, and provide a more localized history of the South Beach area of the waterfront including the construction and operation of Pier 36 and the Belt Railroad. The exhibit would allow the public to follow the waterfront through history by providing interpretive panels with text, maps, and photographs that describe significant periods of the waterfront’s history. The interpretative panels would provide an overview of the Port of San Francisco Embarcadero Historic District as a whole and a more localized history of the South Beach area of the waterfront. Mitigation M-CP-2 has been updated to reflect that the interpretive exhibit should reflect the entirety of the Port of San Francisco Embarcadero Historic District, as well as provide a more localized history of South Beach, Pier 36, and the Belt Railroad. These changes are reflected in the Draft EIR Revisions on page C&R. 29 of this Comments and Responses Document.

**Comment #15**

The HPC agreed further clarification is needed for Mitigation Measures (MM) CP-1(b) – identification of what resource is being mitigated.” (*Historic preservation commission, written comments*)

**Response #15**

The DEIR identified under Impact CP-1 that the proposed project would demolish four contributing historic resources (Pier 36 and Bulkhead Wharf Sections 11, 11a, and 12) of the Port of San Francisco Embarcadero Historic District. The DEIR identified Mitigation Measures M-CP-1a and M-CP-1b to lessen the impact, but not to a less-than-significant level.

Mitigation Measure M-CP-1b requires that prior to demolition of Pier 36, the Port of San Francisco should notify local historic preservation organizations of opportunities for salvage of character-defining features, and determine if any additional character-defining features can be feasibly salvaged and incorporated into the landscape design of the Brannan Street Wharf. Mitigation Measure M-CP-1b does not require salvage of character-defining features for Bulkhead Wharf Sections 11, 11a, and 12 prior to demolition primarily because the character-defining materials of the wharves are generally concrete and steel construction with decking and an asphalt surface treatment. These materials are not conducive to salvage; therefore, Mitigation Measure M-CP-1b does not include the Bulkhead Wharf Sections 11, 11a, and 12 as having potential opportunity for salvage of historic materials.

## BIOLOGICAL RESOURCES

### **Comment #16**

“Bay Plan Policies: The proposed project raises several other categories of issues that the Commission has addressed through its Bay Plan policies that will be considered during the permitting process. They include:

1. Fish, Other Aquatic Organisms and Wildlife. The policies in this section address the benefits of fish, other aquatic organisms and wildlife and the importance of protecting the Bay’s subtidal habitats, native, threatened or endangered species, and candidates for listing as endangered or threatened. The Commission will consider whether the proposed work and facilities in the Bay, including demolition and pile-driving, will minimize impacts to special-status species and habitats in the Bay, in consultation with the National Marine Fisheries Service (NMFS) and the California Department of Fish and Game (CDFG)” (*Ming Yeung, BCDC, written comments*)

### **Response #16**

The comment is expressing Bay Plan policies that will be reviewed for consistency during the Brannan Street Wharf BCDC permitting process. The Port of San Francisco staff recognizes the BCDC Commission’s authority to make its determination regarding compliance with the Bay Plan policies cited in the comment as part of its permitting process. The impacts of the proposed project on special-status species and habitats of the Bay resulting from demolition, pile driving, and construction were analyzed in the EIR, specifically Section D, Biological Resources. The DEIR identified that with implementation of Mitigation Measures M-BIO-1a, 1b, 1c, and Mitigation Measure M-BIO-4 (on pages 141-151) the impacts to special-status species would be reduced to a less-than-significant level.

## HYDROLOGY AND WATER QUALITY

### **Comment #17**

“Bay Plan Policies: The proposed project raises several other categories of issues that the Commission has addressed through its Bay Plan policies that will be considered during the permitting process. They include:

2. **Water Quality.** The policies in the section address water quality and require Bay water pollution to be prevented to the greatest extent feasible. Policy 3 in particular requires new projects to be sited, designed, constructed and maintained to prevent or minimize the discharge of pollutant in the Bay by controlling pollutant sources at the project site, using appropriate construction materials, and applying best management practices. The Commission will consider whether the construction and use of the proposed project is designed to control stormwater runoff and pollution to the Bay, in consultation with the Regional Water Quality Control Board (RWQCB). “  
*(Ming Yeung, BCDC, written comments)*

### **Response #17**

The comment is expressing Bay Plan policies that will be reviewed for consistency during the Brannan Street Wharf BCDC permitting process. The Port of San Francisco staff recognizes the BCDC Commission’s authority to make its determination regarding compliance with the Bay Plan policies cited in the comment as part of its permitting process. As noted on pages 69-72 of the Initial Study, the proposed project would be designed in accordance with the Port’s Stormwater Management Program (SWMP). The SWMP specifies construction and operational practices for existing and newly constructed facilities on Port properties to manage and treat stormwater runoff so as to comply with applicable storm water regulations of the San Francisco Regional Water Quality Control Board (RWQCB), as articulated through the San Francisco Stormwater Design Guidelines. In the case of open space development projects such as Brannan Street Wharf, potential pollutants of concern would include litter, dog excrement, pesticides and fertilizers. These pollutants can be addressed through a set of post-construction control measures focused entirely on source controls. Source controls are design techniques or actions that minimize the generation of excessive runoff or pollution of stormwater near its source. The Brannan Street Wharf project will incorporate the following structural and non-structural source control measures into the proposed design:

- **Landscaping and Irrigation Design:** The Brannan Street Wharf project includes 23,000 square feet of landscaped area. All landscape improvements at the project site will be developed and maintained using Integrated Pest Management (IPM) methods. Landscaping IPM is a sustainable approach to managing pests by combining biological, cultural, physical and chemical tools in a way that minimizes economic, health, and environmental risks. In the case of Brannan Street Wharf, landscape plans will be developed that focus on the use of native or Mediterranean plants suited to San Francisco's climate. IPM principles will help reduce or eliminate the use of pesticides and fertilizer, thereby reducing the risk that stormwater runoff will mobilize these pollutants and carry them to the Bay.
- **Sidewalk and Plaza Cleaning:** The sidewalk and promenade area shall be dry swept daily and pressure washed quarterly or more frequently as needed. Pressure wash runoff will be directed to catch basins discharging to the City's combined sewer system. In cases where runoff from sidewalk and plaza cleaning cannot be directed to the combined sewer system, runoff will be filtered through wattle or similar materials before discharging to the Bay. No detergents will be used during pressure washing.
- **Alternative Building Materials:** Alternative building materials reduce potential sources of pollution in stormwater runoff by eliminating compounds that can leach into runoff. The Brannan Street Wharf will make use of such materials and will specifically avoid the use of pressure treated wood and anodized metal products for construction.
- **Storm Drain Inlets and Waterways:** On-site storm drains will be clearly marked using thermoplastic stencils with the message "No Dumping, Flows to Bay".
- **Refuse Areas:** The Brannan Street Wharf will include a number of trash receptacles and "no littering" signs.

Additionally, as noted on pages 69-70 of the Initial Study, the Brannan Street Wharf construction activities would be conducted pursuant to the San Francisco Regional Water Quality Control Board (RWQCB) permits, which will authorize the project by issuing "Waste Discharge Requirements" (WDRs) or a "Conditional Authorization, or potentially waiving WDRs. Either of

these RWQCB authorizations will specify required water quality protection provisions as warranted based on the specific project description. Brannan Street Wharf project construction would also be pursuant to Bay Conservation and Development Commission regulations for waterfront construction activities, including conditions designed to protect water quality. Compliance with RWQCB and BCDC permits, and implementation of other applicable pollution prevention measures to be developed as part of a project-specific Environmental Protection Plan (EPP) will ensure that project construction will not adversely impact water quality. Additionally, Mitigation M-BIO-1b, Best Management Practices (BMP's), has been updated to reflect RWQCB BMP's for pollution prevention from oil and fuel spills during construction activities. These changes are reflected in the Draft EIR Revisions on page C&R. 30 of this Comments and Responses Document.

**Comment #18**

3. "Water Surface Area and Volume. Policy 1 in this section states that the surface area of the Bay and the total volume of water should be kept as large as possible and that filling that reduces area and water volume should be allowed only for purposes providing substantial public benefits and only there is no reasonable alternative. As stated above, further discussion should be provided on how the proposed project will maintain or improve open water areas in the Bay, and is consistent with the required removal of Bay fill in this area." (*Ming Yeung, BCDC, written comments*)

**Response #18**

As described in Response #6 above, the Brannan Street Wharf project would result in a net decrease of Bay fill of 94,800 square feet, in addition to the removal of 89,600 square feet of fill accomplished through the removal of Pier 34 in 2001. Therefore, the proposed demolition of Pier 36 and Bulkhead Wharf Sections 11, 11a, and 12, combined with the Pier 34 removal would yield a net reduction in bay fill of approximately 184,400 square feet. The Brannan Street Wharf project implements the BCDC SAP policies of creating an Open Water Area between Pier 30-32 and Pier 38 and a public plaza from which the public can enjoy broad views of the Bay.

**Comment #19**

4. "Safety of Fills and Sea Level Rise. Policy 4 in this section states that structures on fill or near the shoreline should have adequate flood protection including consideration of future sea level rise as determined by competent engineers. The policy states, "as general rule, structures on fill or near the shoreline should be above the wave runup level or sufficiently set back from the edge of the shore so that the structure is not subject to dynamic wave energy. In all cases, the bottom

floor level of structures should be above the highest tide elevation. Exceptions to the general height rule may be made for developments specifically designed to tolerate periodic flooding.”

“In order to approve the project, the Commission will need to find that the public access and Bay fill project elements are designed to accommodate sea level rise and potential future tidal flooding. Further discussion is needed to explain how the proposed project is designed to sufficiently address sea level rise and flooding during the life of the project (including storm surges). This discussion should include current elevations at the site, the site’s elevation during high storm events now and in the future, and an estimate of the site’s elevation taking into consideration future sea level rise over the life of the project. The project applicant should include an analysis of how the structures could be raised, or designed to withstand flooding, or set at an elevation to accommodate sea level rise. If the structure cannot be constructed at an elevation high enough to withstand periodic flooding, the project applicant should explain why this cannot be done at this time, and how the structures could be adapted in the future.”  
(Ming Yeung, BCDC, written comments)

### **Response #19**

The comment is expressing sea level rise policies that will be reviewed for consistency during the Brannan Street Wharf BCDC permitting process. The Port recognizes the BCDC Commission’s authority to make its determination regarding compliance with the Bay Plan policies cited in the comment as part of its permitting process. As noted, the proposed Brannan Street Wharf design has been reviewed by the BCDC DRB and ECRB, which included evaluating the adequacy and quality of public access, engineering and design modifications to address sea level rise and flooding. Additionally, pages 75-78 of the Initial Study evaluated the impacts to the proposed project resulting from sea level rise. BCDC has prepared maps for areas inundated by 16 inches of sea level rise by 2050 and 55 inches of sea level rise by 2100 and sea level rise analysis for the Brannan Street Wharf is based on these BCDC maps.<sup>1</sup> The Port estimates that the bottom of the wharf deck for the Brannan Street Wharf, which would be constructed at a level of +9.5 to 11.5 feet Mean Low Low Water (MLLW), could be susceptible to flooding associated with the 100-year extreme high tide event, which is currently 11.73 feet. However, as sea level rises, coastal flood hazards associated with storm-related flooding, extreme high tides, and/or tsunamis adjacent to or affecting the Brannan Street Wharf would increase. Assuming a 16-inch rise in sea level by 2050, the future base flood (100-year event) elevation would be +13.06 feet MLLW (an increase in

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<sup>1</sup> San Francisco Bay Conservation and Development Commission (BCDC), April 7, 2009, *Living with a Rising Bay: Vulnerability and Adaptation in San Francisco Bay and on its Shoreline*, Draft Staff Report.

1.33 feet).<sup>2</sup> Additionally, assuming a 55-inch rise in sea level by 2100, the future base flood (100-year event) elevation would be +16.31 feet MLLW (an increase in 4.58 feet).<sup>3</sup> Projected inundation zones at the top of the railing curb for the Brannan Street Wharf for the future Base Flood Elevation, given a 16-inch increase in sea level, would be -0.06 to 1.94 ft MLLW, and by 2100, given a 55-inch increase in sea level, the projected inundation zones would be -3.31 to -1.31 ft MLLW.

The Port has incorporated adjustments in the Brannan Street Wharf project design to respond to the current understanding about sea level rise, based on the planning scenarios presented in the BCDC report. The park design was originally designed at an elevation above the 100-year base flood elevation. The park design must maintain the elevation alongside the western edge that connects with the existing Embarcadero Promenade. However, in response to sea level rise, the design has been adjusted to incorporate a two-foot grade change, so that the eastern side of the park over the water is two feet higher in elevation than the western edge. In addition, the eastern edge of the park decking would incorporate a one-foot high “toe kick” base to provide an extra buffer against Bay water, which could flow onto the park during strong storms in high tide conditions. Under BCDC’s 2050 sea level rise scenario, flooding of Brannan Street Wharf would be infrequent; and there would be a less than one percent chance of flooding. The lawn area within the park, which would be planted in an 18-inch high platform, would not be flooded by 2050. However, under BCDC’s planning scenario 2100, the Brannan Street Wharf would experience regular flooding during combined high tide and storm wave action events. Under normal tidal conditions, the park would not be flooded. Therefore, with the potential for sea level rise to impact the Brannan Street Wharf, the frequency of flooding will increase from the 100-year extreme high tide event to regular flooding under combined high tide and storm wave action; however, normal tidal action will not result in flooding. Regardless of the sea level rise scenario, use of waterfront parks during heavy storms, especially during high tides, is low or non-existent, based on observed current conditions. Measures are available, if necessary, to prohibit public use during these or other dangerous conditions. Due to the fact that the proposed project would be

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<sup>2</sup> Ibid, BCDC

<sup>3</sup> Ibid, BCDC



an open space park, the project would result in less than significant impacts associated with flooding and sea level rise.

**Comment #20**

5. "Public Trust. The DEIR recognizes that the State Lands Commission will need to determine that the project use is consistent with the public trust. BCDC will also be relying on this determination in deciding whether the project is consistent with its laws and policies." (*Ming Yeung, BCDC, written comments*)

**Response #20**

The commenter is stating that the proposed Brannan Street Wharf will be reviewed by the State Lands Commission to determine the 'projects consistency with the public trust. As noted on page 30 of the DEIR, the State Lands Commission acts in an advisory capacity to, and sits as a member of the BCDC Commission, with regard to BCDC's findings of trust compliance made pursuant to BCDC's SAP. A final determination of trust consistency, as well as consistency with the Waterfront Plan, would be made by the Port Commission, in consultation with BCDC and the State Lands Commission

## ALTERNATIVES

### **Comment #21**

“The HPC agreed additional preservation alternatives are needed, perhaps a variation of Alternative B that shows retention of more historic fabric.” (*Historic Preservation Commission, written comments*)

### **Response #21**

Alternative B, the Preservation Alternative, would retain the historic Pier 36 and the pier shed building, rehabilitate them in a manner consistent with the *Secretary Standards*, and adaptively reuse them for a light industrial use. It was also determined that the Bulkhead Wharf Sections 11, 11a, and 12 would be reconstructed consistent with the *Secretary Standards* as the bulkhead wharf has deteriorated beyond the ability to repair the structures. Alternative B would construct the Brannan Street Wharf in the footprint of the former Pier 34. Therefore, Alternative B would retain or reconstruct the four contributing historic resources to the Port of San Francisco Embarcadero Historic District consistent with the *Secretary Standards*, construct a park that is compatible with the District, and avoid the proposed project’s two significant and unavoidable historic architectural resources impacts. Alternative B was determined to retain the most historic fabric of all potential feasible alternatives explored for the proposed project. Additionally, an alternative was considered that would reuse the existing Pier 36 platform and demolish the pier shed building. However, this alternative was rejected because it would not avoid all of the project’s significant and unavoidable historic architectural resources impacts. No other alternatives were identified that could substantially reduce the environmental impacts of the proposed project. Therefore, the DEIR found that Alternative B, the Preservation Alternative, would retain and reconstruct the historic fabric of the four identified historic resources and reduce the impacts to historic architectural resources to a less-than-significant level.

**Comment #22**

“In reviewing the preservation alternatives, the HPC agreed more information is needed about what is included or excluded in the cost estimate for Alternative B (i.e. tax credits and other incentives for preservation of historic resources).”

“The HPC agreed more analysis is needed for generating a leasable and revenue-producing project for the Port to off-set the cost for preservation and rehabilitation as a preservation alternative.” (*Historic Preservation Commission, written comments*)

**Response #22**

The project construction costs identified in the DEIR for Alternative B, the Preservation Alternative, was \$51.5 million compared to the proposed project cost of \$25 million. The cost estimate for Alternative B included: \$15 million for the construction of the new Brannan Street Wharf; approximately \$5 million for the reconstruction of Bulkhead Wharf Section 11, 11a, and 12; \$263 per square-foot for the repair of the Pier 36 substructure of which equals an approximate cost of \$22 million; and the pier shed rehabilitation cost of \$280 per square-foot for an approximate cost of \$8 million. This cost estimate assumed that both the Pier 36 substructure and shed would require seismic retrofit because of their current structurally deficient condition.

Assuming that Alternative B would be eligible for the 20 percent Federal Rehabilitation Tax Credit and that 100 percent of the project construction costs would be eligible for tax credit purposes, this would result in an approximate tax credit saving of \$14 million. Additionally, a rehabilitated Pier 36 substructure and shed could generate potential lease revenues for a light-industrial use of approximately \$30,000 per month or \$360,000 per year to the Port. Likewise, if Pier 36 was rehabilitated for office use it would generate potential monthly revenue of approximately \$86,000 or \$1 million per year to the Port. However, the rehabilitation and construction costs to convert Pier 36 to an office use would be approximately 50 percent higher than those required to support a light-industrial use. Therefore, a rehabilitated Pier 36 would generate lease revenues for the Port on an annual basis ranging from approximately \$300,000 to \$1 million.

## OTHER

### **Comment #23**

"I am a resident at 88 King St, and a frequent walker along the waterfront between the Ferry Bldg and ATT Park. I look forward to the planned improvements along the water front. I have seen the posted notices soliciting public comment on the Pier 36/Brannan Wharf project and have read the online outline of the EIR and would like to comment on the Project Objectives, p. 47:

My main concern is that the grassy area will be just another "dog bathroom" and not an area to be enjoyed by all citizens for picnicking, recreation, etc.--an area where children can safely turn somersaults and play catch without rolling around in dog excrement. My unit looks out at the grassy area near Pier 40/South Beach Marina which is now almost exclusively an area for off-leash dogs to play and relieve themselves. The raised areas in front of the yacht club/harbor patrol bldg are marked with small "no dogs" sign which are widely ignored. Most owners clean up after their dogs but not really enough to make it pleasant or safe for other family activities. Let's admit that the waterfront beauty is lost on the dogs.

My question is: Is there some way to plan this grassy area so that it is not exclusively used as a "dog bathroom"? Please give this concern some consideration as you go ahead with this major improvement. Many thanks." (*Katharine Cosovich, written comments*)

### **Response #23**

The comment does not address the scope or adequacy of the EIR and expresses concerns about the use of the raised lawn area of the Brannan Street Wharf for dogs. The proposed Brannan Street Wharf is intended to support a variety of passive recreational uses including: public viewing; areas for pedestrians to rest and congregate as they stroll along The Embarcadero Promenade; grassy area for picnicking, and children's play; and water recreational use access. The proposed Brannan Street Wharf would also be expected to be used by people and their dogs, and has not been designed exclusively for any one type of park user. Park signage would also be incorporated into the landscaping of the Brannan Street Wharf to provide users rules and regulation in regards to dog usage. This comment has been transmitted to the decision-makers and may be considered in the project approvals process.

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## D. DRAFT EIR REVISIONS

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This section contains revisions to the DEIR. Revisions have been made in response to public comments that have been made on the DEIR, as well as those initiated by Planning Department staff. Changes made in response to comments are listed in Section 1 below; staff-initiated changes are listed in Section 2 below. Deletions to the DEIR text are shown with ~~striketrough~~ and additions are shown with double underline, except where text is indicated as entirely new in order to allow for ease of reading.

### 1. CHANGES IN RESPONSE TO COMMENTS

On page S-7, third column of the table, and page 61 of the DEIR, the following text is changed:

**M-CP-2: Interpretive Exhibit**

The inclusion of an interpretive historical exhibit as part of the proposed landscape design of the proposed Brannan Street Wharf would partially mitigate the impact of the project on historical resources. The exhibit would consist of historical images including maps and photographs as well as narrative text to explain and summarize the historical significance of the ~~waterfront~~ Port of San Francisco Embarcadero Historic District, as well as significant events that occurred in the South Beach area, including among other things the construction and operation of Pier 36 and the Belt Railroad. The Port would also be required to interpret the site's history by incorporating a commemorative rail mark in the deck of the new Brannan Street Wharf in the approximate location of the existing historic rail spur on the south apron of Pier 36. The interpretative historic exhibit would also include a narrative of the historical importance of this rail mark in the Brannan Street Wharf design. The exhibit would serve as a valuable educational tool and raise the public's awareness and understanding of the Port of San Francisco Embarcadero District.

## 2. STAFF-INITIATED CHANGES

On page S-14, third column of the table, and page 146 of the DEIR, the following text is changed:

### **Mitigation Measure M-BIO-1b: Best Management Practices (BMP's)**

Standard Best Management Practices (BMPs) will be applied to protect individuals of these species and their habitat(s) from pollution due to fuels, oils, lubricants, and other harmful materials. Vehicles and equipment that are used during the course of a project will be fueled and serviced in a manner that will not affect federally protected species in the Biological Study Area or their habitats. The BMP's associated with the proposed project would include the following requirements:

- Well-maintained equipment will be used to perform the work, and except in the case of a failure or breakdown, equipment maintenance will be performed off site. Equipment will be inspected daily by the operator for leaks or spills. If leaks or spills are encountered, the source of the leak will be identified, the leak will be cleaned up, and the cleaning materials will be collected and will be properly disposed.
- Fueling of marine-based equipment will occur at designated safe locations either off-site or within the project limits (on-site). Fueling of land-based equipment will occur in a staging area or over pavement, and the location will be inspected after fueling to document that no spills have occurred. Spills will be cleaned up immediately using spill response equipment.
- Offsite fueling will occur at locations covered under the Regional Water Quality Control Boards National Pollutant Discharge Elimination System (NPDES) industrial storm water permit (SIC Code 4493).
- If fueling occurs on-site the following precautions will be required to reduce the potential for spills:
  - Ensure that adequate amounts of oil absorbents and other spill response equipment are easily accessible by boaters and the fueling attendant on the fuel barge (see below);

- Provide secondary containment (e.g. berm) around the dispensing area, fuel machinery and any oil storage containers to prevent oil spills;
- When it is safe and effective to do so, the designated fueling areas shall have booms installed prior to initiating fueling activities on or over water. The following specifications shall be used when a boom is deployed prior to fueling activities:
  - a. An adequate boom shall be deployed such that it completely surrounds the vessel(s) and facility/terminal dock area directly involved in the fueling activities, or the portion of the vessel and fueling area that provides for maximum containment of any fuel/oil spilled.
  - b. The boom positioning shall be checked periodically and adjusted as necessary throughout the duration of the fueling activity, especially during tidal changes and significant wind or wave events.
- Avoid fueling boats from portable fuel containers;
- Nozzles should have an automatic shut off feature;
- Fuel slowly paying attention to the fuel gauge, the audible alarm once nearly full, or for the changes in pitch as it is filling;
- Keep nozzle vertically upright when mounted in the fueling station to avoid drips;
- Do not top-off fuel;
- Leave the tank 5-10% empty to allow fuel to expand and not spill out of the vent;
- Use an absorbing collar or “donut” pad around the nozzle when fueling to absorb backslash and any spill;
- Use oil absorbents to catch fuel drips and spills while transferring the nozzle between the boat and fuel dock;
- Attach containers to the outside of the air vent to catch spills caused by back pressure build up;
- Install fuel/air separators in the air vent for a built-in fuel tank or stems of inboard fuel tanks to prevent spills during fueling;
- If fueling occurs on-site, the following practices will be required for responding to spills:
  - Personnel must be trained in the proper use and maintenance of boom and recovery equipment.

- Maintain an adequate supply of oil/hazardous spill response materials in readily accessible locations on the fuel barge for boaters and staff; including:
  - a. Absorbent Boom:
  - b. 3 feet of boom per foot of boat
  - c. Enough to encircle largest boat in the construction site.
  - d. Deployment Boat:
  - e. Hydrophobic Mop:
  - f. Absorbent blankets and pillows;
  - g. Non-sparking hand scoops, shovels, and buckets
  - h. Empty Drums or other containers suitable for holding the recovered oil and oily water;
  - i. Sand Bags;
  - j. Miscellaneous Items such as: Rope, Flashlights, Metal Fence Stakes, Straw Bales and weighted spill mats (for covering storm drains);
- All boom and associated equipment, including the equipment used to deploy the boom, must be of the appropriate size and design for the environmental conditions encountered in the fueling area based on the manufacturer's specifications.
- In the event of a spill, immediately stop spill, contain spill from spreading further, collect and remove spilled materials if possible;
- Dispose any used absorbents at oil absorbents collection facilities (which often serve as oil absorbents distribution facilities);
- If a spill occurs, the recovery equipment shall be immediately deployed to capture as much fuel/oil as possible. In addition, any remaining boom onsite shall be deployed to contain the fuel and protect the environment while the fuel/oil spill is being recovered.
- Within one hour of observing a spill, a boom shall be deployed to completely contain the vessel(s) and barge/facility/terminal dock area directly involved in the fueling activity or the area that provides for maximum containment of any fuel/oil spilled.
- Never try to disperse spilled oil in the water using detergents and emulsifiers. Use absorbent booms and pads instead. Follow the Spill Prevention Plan.
- Do not use dispersants to treat the oil spill; it is illegal; and
- Report the spill to the National Response Center 1-800-424-8802



- The Port of San Francisco will reduce the amount of disturbance within the Biological Study Area to the minimum necessary to accomplish the project.
- The Port of San Francisco will exercise every reasonable precaution to protect these species and their habitat(s) from construction by-products and pollutants such as demolition debris, construction chemicals, fresh cement, saw-water, or other deleterious materials. Demolition will be conducted from both land and water, and care will be used by equipment operators to control debris so that it does not enter the bay. During demolition, the barges performing the work will be moored in a position to capture and contain the debris generated during the dismantlement of the building and wharf. In the event that debris does reach the bay, personnel in workboats within the work area will immediately retrieve the debris for proper handling and disposal.
- Fresh cement or concrete will not be allowed to enter San Francisco Bay. Construction waste will be collected and transported to an authorized upland disposal area, as appropriate, and per federal, state, and local laws and regulations.
- All hazardous material will be stored upland in storage trailers and/or shipping containers designed to provide adequate containment. Short-term laydown of hazardous materials for immediate use will be permitted with the same anti-spill precautions.
- All construction material, wastes, debris, sediment, rubbish, trash, fencing, etc., will be removed from the site once the project is completed and transported to an authorized disposal area, as appropriate, in compliance with applicable federal, state, and local laws and regulations.

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## **APPENDICES:**

1. COMMENT LETTERS
  2. TRANSCRIPT OF DEIR PUBLIC HEARING
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# **APPENDIX 1:**

COMMENT LETTERS

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# SAN FRANCISCO PLANNING DEPARTMENT

RECEIVED

MAR 17 2011

CITY & COUNTY OF S.F.  
PLANNING DEPARTMENT  
M.E.A.

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Suite 400  
San Francisco,  
CA 94103-2479

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Planning  
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## PUBLIC NOTICE

### Availability of Draft Environmental Impact Report for Pier 36/Brannan Street Wharf

Planning Department Case No. 2009.0418E

State Clearinghouse No. 2009122058

A Draft Environmental Impact Report (EIR) has been prepared by the San Francisco Planning Department in connection with this project. The report is available for public review and comment on the Planning Department's MEA Cases webpage <http://tinyurl.com/meacases>. CDs and paper copies are also available at the Planning Information Center (PIC) at 1660 Mission Street, 1<sup>st</sup> Floor. Referenced materials are available for review by appointment at the Planning Department's office at 1650 Mission Street, 4<sup>th</sup> Floor. (Call 575-9025)

**Project Description:** The project site is located between Pier 30-32 and Pier 38, fronting on the east side of The Embarcadero, in proximity to the intersections of Brannan and Townsend Streets, within the South of Market (SOMA) district of San Francisco. The proposed project involves the demolition of the existing Pier 36, including 133,000 square feet (sq.ft) of pile-supported concrete and wooden decks and piles, the 35,000 sq. ft. Pier 36 warehouse building, and approximately 18,800 sq.ft. of marginal wharf which runs between Piers 30-32 and Pier 38, and construction of a new approximately 57,000 sq.ft. open space park. The proposed open space, "the Brannan Street Wharf", would be approximately 830 feet long (parallel to The Embarcadero), and would vary in width from 10 feet to 140 feet. The proposed park would consist of a raised lawn that could accommodate a variety of passive recreational uses and would include a 2,000 square-foot craft float that would provide a temporary boat tie-up area for landing and launching of hand-powered and small craft boats. The construction of the proposed Brannan Street Wharf would require driving 269 new piles and reinforcing the adjacent seawall.

A **public hearing** on this Draft EIR and other matters has been scheduled by the City Planning Commission for March 24, 2011, in Room 400, City Hall, 1 Dr. Carlton B. Goodlett Place, beginning at 1:30 p.m. or later. (Call 558-6422 the week of the hearing for a recorded message giving a more specific time.)

**Public comments** will be accepted from February 9, 2011 to 5:00 p.m. on March 28, 2011. Written comments should be addressed to Bill Wycko, Environmental Review Officer, San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103. Comments received at the public hearing and in writing will be responded to in a Summary of Comments and Responses document.

If you have any questions about the **environmental review** of the proposed project, please call Chelsea Fordham at 415-575-9071.

[www.sfplanning.org](http://www.sfplanning.org)

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Revised 8/2/10

*Go for it! Long Overdue -*  
*We need a Park.*  
*Dave Hoffman*



Making San Francisco Bay Better

RECEIVED

MAR 24 2011

March 22, 2011 CITY & COUNTY OF S.F.  
PLANNING DEPARTMENT  
M E A

Mr. Bill Wycko  
Environmental Review Officer  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, California 94103-2479

**SUBJECT:** Comments to Draft Environmental Impact Report for the Pier 36/Brannan Street Wharf Project; SCH #2009122058  
(BCDC File No. MC.MC.7812.1)

Dear Mr. Wycko:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Pier 36/Brannan Street Wharf Project involving the removal of Pier 36 and adjacent bulkhead sections, and the construction of a 57,000-square-foot public open space along the Embarcadero in the City and County of San Francisco.

The Commission is a responsible agency for this project and will rely on the EIR when it considers the project. Below are several comments by the Commission staff in response to the DEIR. Most of these comments deal with specific BCDC-issues that can be addressed through the BCDC permitting process to ensure the project is consistent with the Commission's laws and policies or, if appropriate, may be addressed in the Final EIR's response to comments. Although the Commission itself has not reviewed the DEIR, the staff comments are based on the McAteer-Petris Act, the Commission's *San Francisco Bay Plan* (Bay Plan), the *San Francisco Waterfront Special Area Plan*, the Commission's federally-approved management program for San Francisco Bay, and the federal Coastal Zone Management Act (CZMA).

#### **Jurisdiction and San Francisco Waterfront Special Area Plan**

As the DEIR accurately states, the majority of the project would be located within the Commission's jurisdiction and would require BCDC approval. In addition, the project is located within the detailed planning area of the *San Francisco Waterfront Special Area Plan* (SAP).

The SAP requires the creation of the "Brannan Street Wharf" as a major waterfront park in the area of Piers 34 and 36 to serve the South Beach neighborhood. It requires the park to be a minimum of 57,000 square feet in size, extending at least 600 feet along the Embarcadero, and to "accommodate a variety of passive recreational activities and serve as both a local and regional destination." According to the SAP, pier removal and park construction should result in a net fill reduction of approximately 140,000 square feet. The uses that should be considered for the park include informal small play fields, tot lots or other facilities for children, viewing areas, picnic areas, and other uses consistent with a recreational park theme. On the water, the SAP encourages transient boat tie-ups, kayak and other hand held craft launch and landing areas to enliven the adjacent new park. Viewing areas, seating and picnic areas are encouraged,

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including other appropriate site furnishings such as fountains, interpretive signs, a small amphitheater, and limited accessory commercial uses, such as food carts and small kiosks, appropriately placed so that they do not interfere with the recreational use of the Park.

5

According to the DEIR, the project would result in a net decrease of approximately 94,800 square feet of Bay fill. The Park would be approximately 57,000 square feet in size, extend approximately 830 feet long along the Embarcadero, and consist of a 26,000-square-foot, 400-foot-long raised lawn, shade structures, tables, chairs and benches, litter receptacles, drinking fountain, lighting, space for public art installations and an interpretive exhibit, and a 2,000-square-foot small craft float with accessible gangway. The raised lawn would accommodate a variety of passive recreation uses, and a waterside walkway would be designed to orient the park towards the Bay as well as the adjacent South Beach neighborhood.

6

Port staff has worked closely with BCDC staff to design a park that is consistent with the policies of the SAP. The project has been reviewed and refined in joint sessions by BCDC's Design Review Board (DRB) and the Port's Waterfront Design Advisory Committee. At its last meeting on the project, the DRB supported the design of the park and were satisfied with the proposed public access areas, uses and improvements for the site. BCDC staff believes the size, design, and uses of the park are consistent with BCDC's SAP. However, further discussion on the Bay fill/removal numbers should be included either in the Final EIR or provided during the permitting process to explain the discrepancy between the amount of Bay fill estimated to be removed in the SAP and the final numbers proposed by the project applicant. Please explain why less fill is being removed than estimated in the SAP.

#### Bay Plan Policies

The proposed project raises several other categories of issues that the Commission has addressed through its Bay Plan policies that will be considered during the permitting process. They include:

1. **Fish, Other Aquatic Organisms and Wildlife.** The policies in this section address the benefits of fish, other aquatic organisms and wildlife and the importance of protecting the Bay's subtidal habitats, native, threatened or endangered species and candidates for listing as endangered or threatened. The Commission will consider whether the proposed work and facilities in the Bay, including demolition and pile-driving, will minimize impacts to special-status species and habitat in the Bay, in consultation with the National Marine Fisheries Service (NMFS) and the California Department of Fish and Game (CDFG).
2. **Water Quality.** The policies in this section address water quality and require Bay water pollution to be prevented to the greatest extent feasible. Policy 3 in particular requires new projects to be sited, designed, constructed and maintained to prevent or minimize the discharge of pollutants in the Bay by controlling pollutant sources at the project site, using appropriate construction materials, and applying best management practices. The Commission will consider whether the construction and use of the proposed project is designed to control stormwater runoff and pollution to the Bay, in consultation with the Regional Water Quality Control Board (RWQCB).
3. **Water Surface Area and Volume.** Policy 1 in this section states that the surface area of the Bay and the total volume of water should be kept as large as possible and that filling that reduces area and water volume should be allowed only for purposes providing substantial public benefits and only if there is no reasonable alternative. As stated above,

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further discussion should be provided on how the proposed project will maintain or improve open water areas in the Bay, and is consistent with the required removal of Bay fill in this area.

18

- 4. Safety of Fills and Sea Level Rise.** Policy 4 in this section states that structures on fill or near the shoreline should have adequate flood protection including consideration of future relative sea level rise as determined by competent engineers. The policy states, "as a general rule, structures on fill or near the shoreline should be above the wave runup level or sufficiently set back from the edge of the shore so that the structure is not subject to dynamic wave energy. In all cases, the bottom floor level of structures should be above the highest estimated tide elevation. Exceptions to the general height rule may be made for developments specifically designed to tolerate periodic flooding."

In order to approve the project, the Commission will need to find that the public access and Bay fill project elements are designed to accommodate sea level rise and potential future tidal flooding. Further discussion is needed to explain how the proposed project is designed to sufficiently address sea level rise and flooding during the life of the project (including storm surges). This discussion should include current elevations at the site, the site's elevation during high storm events now and in the future, and an estimate of the site's elevation taking into consideration future sea level rise over the life of the project. The project applicant should include an analysis of how the structures could be raised, or designed to withstand flooding, or set at an elevation to accommodate sea level rise. If the structures cannot be constructed at an elevation high enough to withstand periodic flooding, the project applicant should explain why this cannot be done at this time, and how the structures could be adapted in the future.

19

- 5. Public Trust.** The DEIR recognizes that the State Lands Commission will need to determine that the project use is consistent with the public trust. BCDC will also be relying on this determination in deciding whether the project is consistent with its laws and policies.

20

Thank you for providing staff with the opportunity to review the DEIR. We are excited for the project and hope these comments aid you in the certification of the Final EIR. We look forward to working with you and the project applicant during the permitting stage. Please feel free to contact me at (415) 352-3616, or email me at [mingy@bcdc.ca.gov](mailto:mingy@bcdc.ca.gov) if you have any questions regarding this letter or the Commission's policies and permitting process.

Sincerely,



MINGYEUNG

Coastal Program Analyst

MY/ra

cc: Scott Morgan, State Clearinghouse  
Diane Oshima, Port of San Francisco



SAN FRANCISCO  
ARCHITECTURAL  
HERITAGE

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*Executive Director*

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SAN FRANCISCO  
CALIFORNIA 94109

TEL 415-441-3000

FAX 415-441-3015

[www.sfheritage.org](http://www.sfheritage.org)

March 24, 2011

Bill Wycko  
Environmental Review Officer  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

**Re: 2009.0418E – Draft Environmental Impact Report for the Pier 36/Brannan Street Wharf Project**

Dear Mr. Wycko:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Pier 36/Brannan Street Wharf Project. Founded in 1971, San Francisco Architectural Heritage is a non-profit 501(c)(3) membership organization charged to preserve and enhance San Francisco's unique architectural and cultural identity. This year, Heritage is celebrating the release of its new book, *Port City: The History and Transformation of the Port of San Francisco, 1848-2010*, by Michael Corbett.

The Port of San Francisco brought the Pier 36/Brannan Street Wharf Project before the Heritage Issues Committee on November 16, 2010, and our review is based on that iteration of the project. The proposed project would demolish four contributing historic resources to the Port of San Francisco Embarcadero National Register Historic District: Pier 36 and bulkhead wharf sections 11a, 11, and portions of 12. Because the removal of these resources will materially impair the significance of the historic district, we urge the Port to consider augmented mitigation measures to meaningfully compensate for their loss. As explained below, it appears that the new construction of the wharf does not comply with the Secretary of the Interior's Standards in that it does not significantly relate to the surrounding historic district.

**Demolition of contributing resources**

Pier 36 and bulkhead wharf sections 11a, 11, and portions of 12 are all contributing resources to the Port of San Francisco Embarcadero National Register Historic District. As acknowledged in the DEIR, their removal will result in a significant adverse impact under CEQA that cannot be mitigated to a less than significant level. Nonetheless, we feel that the mitigation measures listed in the DEIR should be augmented to further compensate for their loss.

Mitigation measure M-CP-1b calls for salvage of character-defining elements and donation to a local recognized historic preservation organization. While we encourage the salvage of as much historic material as possible, we question whether any local historic preservation organization, including San Francisco Architectural Heritage, has the capacity or space to store and care for salvaged materials. As a result, this proposed mitigation measure appears to be infeasible.

As an alternative, we propose that salvage materials be incorporated into the interpretive exhibit and signage required by mitigation measure M-CP-2. Placing the salvage materials in situ will help to convey the significance of the waterfront and will allow for more dynamic interpretive displays. A similar approach has recently been implemented by the Bay Trail Project in Oakland. Historic and wayfinding markers placed along the trail are installed on posts made of recycled rail, relating them to the shipping and rail history of the area. The markers “form a virtual outdoor museum” and could serve as a model for incorporation of salvaged material. See attached article from Oakland Heritage Alliance newsletter.

7

### **Impact of new construction on historic district**

The DEIR acknowledges that the proposed wedge shape and orientation of the new wharf park is a departure from the rectangular shape and perpendicular orientation of contributing resources of the district. Additionally, the design appears to be inconsistent with the character of the Port of San Francisco Embarcadero Historic District and would obscure the seawall, an important feature that unifies the district. We agree with these findings, and feel that the new construction does not meet the Secretary of Interior’s Standards with regard to shape and orientation, as it conflicts with the designed layout of the waterfront and piers.

8

Mitigation measures M-CP-1b and M-CP-2 require interpretive elements for the new design, but this would not mitigate the impact to a less than significant level. We suggest augmented mitigation to further reduce this impact. The M-CP-2 mitigation calls for inclusion of an interpretive historical exhibit as part of the proposed landscape design. This interpretive display should include background on the entirety of the historic district instead of a limited focus on the South Beach area, as the project will impact the district as a whole. It should also contain a diverse breadth of histories, including labor history, Chinese history, and rail history.

On behalf of San Francisco Architectural Heritage, thank you for the opportunity to comment on the DEIR for Pier 36/Brannan Street Wharf. Please do not hesitate to contact me at [mbuhler@sfheritage.org](mailto:mbuhler@sfheritage.org) or (415) 441-3000 x15 should you have any questions or need additional information.

Sincerely,



Mike Buhler  
Executive Director

cc: Chelsea Fordham, Planning Department  
Mark Paez, Port of San Francisco  
Historic Preservation Commission



## The Bay Trail: another chance to take an informative excursion

By Kitty Hughes

No need to take an expensive vacation to Europe this year for your dose of culture and recreation, or pine for the days when a weekend excursion to Hawaii didn't seem like such a big deal. Oakland offers a variety of unrivaled opportunities to combine recreation, exercise and cultural exposure. No airline ticket, pet sitter, or mail hold required. Without straining your wallet, you can get away from it all on your own hometown turf.

The Bay Trail is the place to start. Hop on your bicycle or lace up your walking shoes, and get ready for an unforgettable day's excursion. Actually, there's so much to see and do that it could take you several weekends to do it justice. Extended along flat terrain, the trail also offers nearby restaurants and cafes that will let you sample cuisines from around the globe.

Historic markers strung out along the way tell the story of Oakland. Installed on posts made of recycled rail, the 12 markers are placed in the public right of way, in sidewalks and public parks. The markers, along with sculptures and other artwork, form a virtual outdoor museum.

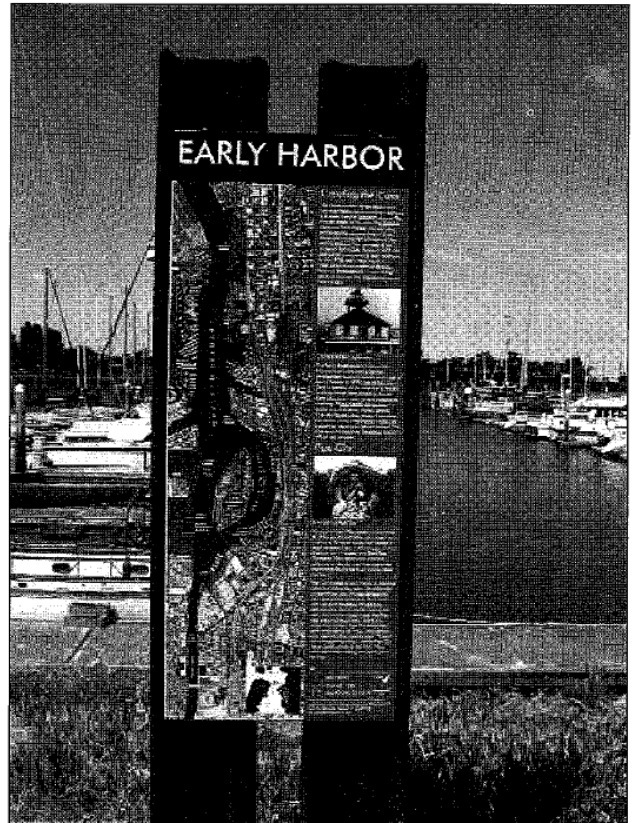
Not all of the trail runs directly along the bay. Because of commercial and industrial uses along sections of our waterfront, portions of the trail lie on nearby inland streets, mainly bike lanes with sidewalks. Connecting spurs connect you from this on-street alignment (sometimes called the "commuter spine") to sections of trail along the bay. The historic markers provide guideposts to help

you find your way. The following guide to orient you to the markers should also help.

Begin your trip on the bike lanes at the north end of Mandela Parkway. On your right, just beyond the Emeryville city limits, you will see the first marker, titled "Progress and Transit." This marker shows a map of West Oakland and the shoreline, which used to be located near Mandela and consisted of marshlands and tidelands. Beginning with the Gold Rush, the area was gradually filled in to make way for development.

The marker also features the Key System, an integrated transit service of streetcars, trains and ferries that provided commuter service throughout the Bay Area starting in 1903. It operated streetcars until 1948 (when buses took over), and transbay service on the Bay Bridge until 1958. AC Transit took over all the routes in 1960. Photos and graphics, along with a map showing that "you are here," will help orient you so you can locate the next marker (indicated by a red route line and red and blue stars on the map).

Travel down Mandela to Seventh Street and learn about wharves and warehouses, the



Waterfront Action

ONE OF THE HISTORICAL MARKERS you'll encounter.

Southern Pacific Railroad Terminal at 16th and Wood (shown on a map for a quick side excursion), the Long Wharf and Oakland Mole, and Port of Oakland history.

See **BAY TRAIL** on page 6

### What is the Bay Trail?

Oakland's Bay Trail forms a section of the Regional San Francisco Bay Trail, a walking and bicycling route that will eventually ring the entire nine-county bay waterfront. To date, approximately 60 percent of the regional Bay Trail is completed. The City of Oakland has been building sections of the Bay Trail over the last decade, and large parts are now in place and ready to walk or ride. The project includes a variety of features, including bicycling and walking facilities, parks, sculpture and other art, trees and landscaping, benches and other amenities, and the historic markers.

The City's Public Works and Community and Economic Development Agency Transportation Services, Design and Construction and Project Delivery staff have taken the lead in developing the Bay Trail. They created and installed the markers, with assistance from a team of reviewers, including the Oakland Cultural Heritage Survey, the Oakland Main Library's History Room, city and Port of Oakland Staff, as well as PGA Associates, a local landscape architecture firm.

The Bay Trail has been funded by several sources, including the San Francisco Bay Trail project, the Bay Area Air Quality Management District's Transportation Fund for

Clean Air, State Transportation Development Act Article 3 Funds, State Environmental Enhancement and Mitigation Funds, and most recently, voter-approved Measure DD funds.

When completed, the Bay Trail will provide two parallel facilities along the estuary, the on-street bike lanes and routes for commuters, and the waterfront trail for leisurely excursions. Over time, a continuous waterfront path will extend along the estuary from Jack London Square to Martin Luther King, Jr. Shoreline Park. In the meantime, Bay Trail explorers can use the continuous on-street route that extends from Mandela Parkway to Embarcadero to dip into the parks and trail sections along the waterfront. ■



## Bay Trail

*Continued from page 5*

On the way, it is worth stopping at the Cypress Memorial park, located on the left side of Mandela between 13th and 14th streets. The park commemorates the 1989 collapse of the Cypress Freeway. The redwoods on the site stand in the arc of the former freeway ramp. In lieu of a marker, the community wanted a major memorial of this event. A graph on the back wall of the park illustrates the earthquake tremors and a prominent sculpture of a ladder reminds us of the firemen and others who risked their lives by climbing up onto the crumpled ramp to rescue victims.

At Seventh Street, located in the BART Parking lot, a marker features the ethnically diverse West Oakland immigrant community that sprang up around the transcontinental railroad terminus. Learn here also about the gospel, blues and jazz scene that emerged on Seventh Street in the 1920s.

If you have time (this alone could be one day's outing), cycle out the Eighth Street spur to see the marker at Bertha Port Park. Who was Bertha Port? (She had no relation to the Port of Oakland and the answer might sur-

prise you. You will find it on the marker installed on the east side of the park.) The park marker also features changing neighborhood names, like Prescott and Lower Bottoms, and how these names evolved.

At Pine Street, segue over to Seventh Street (best traveled on a weekend to avoid truck traffic) and prepare for a treat: Middle Harbor Shoreline Park. This large public facility built by the Port features more West Oakland history, including the shipping industry and Bay Bridge development. The picnic tables offer spectacular views.

To continue back along the main Bay Trail alignment, head back up to Mandela and turn right to continue on Third Street to Second. A marker in front of an old cannery building helps you envision what the area was like originally, bustling with industries and support services for the railroad commerce.

At Second and Broadway, check out Jack London's Klondike cabin and statue for a quick lesson on an important literary figure.

There's more of the Bay Trail to check out on the east side of Broadway. Enjoy the journey of discovery! ■

## My favorite stops along the Estuary

*By Sandy Threlfall*

Give yourself permission to follow Seventh Street to its terminus and you will find a treasure—Port View Park. In the park is the Oakland Pier Train Tower, and upstairs is "A Room with a View," which is its official title! It is a room full of fascinating historic photographs of the "old" Port and related railroad operations. Do stand on the footprints and line up Yerba Buena Island with the photograph on the window, and you will see the Port operations of 1905. By 1910 there were 160 trains a day passing through this area. Sit yourself down and listen to the sounds of industry while enjoying the view of San Francisco and the beautiful bay. A Room with a View is open Monday through Friday from 10 to 3.

Just east of here is Middle Harbor Shoreline Park, and a stop is definitely worthwhile. A healthy walk out to Chappell Hayes Tower will give you a bird's eye view of container shipping. And if you time it right, there will be a ship either being loaded or unloaded right in front of you. There is a great informational marker that describes container terminal operations and, of course, crane facts—not birds, but lifting machines!

Midway between east and west is the Ninth Avenue Terminal. It is an historic building (front half) from the late 1920s with an Art Deco flair. To find it, turn from the Embarcadero onto 10th

Avenue and walk (drive) in the gates. Near the front of the terminal is a railroad trestle, historic of course, which allowed the trains to bring wheat and cotton from the Central Valley into the terminal itself. If you happen to be there at low tide, look into the water between the railroad trestle and Coast Guard Island and you will see the skeletons of the Alaska Packers sailing ships that wintered on the Alameda side of the Estuary, when the hunt for salmon during the summer months had ended.

Now the east end. In Martin Luther King, Jr. Regional Shoreline Park, you will find Arrowhead Marsh, which is everything a bird would want—wetlands, islands, shallow waters good for feeding, and open views so predators can't hide. In the winter, the birds are too numerous to count. For us, it's a great example of what a wetland can provide not only to the birds, but the fishes, ducks, walkers and bikers. Here, a dike was torn down in 1998 to allow the San Leandro Bay waters to return to their wetlands, and only 13 years later the wetlands are prospering.

I love the Bay Trail—walking along it, listening to the silence, and then seeing a huge aircraft pass overhead. The contrasts are there, and you can be too!

*Sandy Threlfall is the Executive Director of Waterfront Action. For access maps and more information about the Estuary, go to [www.waterfrontaction.org](http://www.waterfrontaction.org).*

### Welcome to our new members!

OHA is pleased to welcome these newest members to our roster:

Lesley Allen, Steve Brockhage & Elizabeth Holiday, Daniel Brzoric, Jack Campbell, Stephanie Casenza, Abby Cohen, Kathy & Kenneth Ditlefsen, Cherie & Sherwood Donahue, Sandy Eakins, James A. Goring, Barbara Grey, Thomas Griswold, Jeff Hill, Jean R. Langmuir, Dorothy Lazard, Sherman Lew, Mary Marsh, Charlene Milgrim, Nate Miley & Linda Pratt, Hugh Morrison, Emily Odza, Susan Papps, Barbara Pottgen, Jerard Reilly, Paul Sholar, Paul & Gerda Siple, Ginevra Tehin, Elizabeth Tucker, Jane & Terry Wiedwald, Joan Marie Wood, Jim Wyman & Charis Moore





# SAN FRANCISCO PLANNING DEPARTMENT

March 23, 2011

Mr. Bill Wycko  
Environmental Review Officer  
San Francisco Planning Department  
1650 Mission Street, 4<sup>th</sup> Floor  
San Francisco, CA 94103

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

Dear Mr. Wycko,

On March 16, 2011, the Historic Preservation Commission (HPC) held a public hearing and took public comment on the Draft Environmental Impact Report (DEIR) for the proposed Pier 36/Brannan Street Wharf Project. After discussion, the HPC arrived at the comments below:

- The HPC agreed with the assessment made in the DEIR that the proposed project is not compatible with the historic district. 9
- In reviewing the preservation alternatives, the HPC agreed more information is needed about what is included or excluded in the cost estimate for Alternative B (i.e. tax credits and other incentives for preservation of historic resources). 22
- The HPC agreed additional preservation alternatives are needed, perhaps a variation of Alternative B that shows retention of more historic fabric. 21
- The HPC agreed more analysis is needed for generating a leasable and revenue-producing project for the Port to off-set the cost for preservation and rehabilitation as a preservation alternative. 22
- The HPC is not comfortable with the determination made in the DEIR that there is no cumulative impact simply because the previous projects in the historic district were found to be in compliance with the Secretary of Interior’s Standards. The HPC points out that a historic resource, the adjacent pier (Pier 34), has already been lost. 10
- The HPC agreed documentation of previous and current projects is needed in order to evaluate new proposals and their cumulative impacts to the historic district in the future. 11
- The HPC noted that there is considerable cost associated with long-term storage / curatorship of salvage materials. The HPC agreed that salvage materials, if and when possible, should be used in on-site interpretive displays. 12
- The HPC agreed that the Interpretative Program should be prepared by a qualified consultants meeting the minimum qualifications. 13
- The HPC agreed that the Interpretative Program should include the history of the entire Port of San Francisco Embarcadero Historic District, so that the site is viewed in the broader context of the district to which Pier 36 contributes to. 14

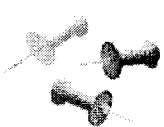
- The HPC agreed further clarification is needed for Mitigation Measures (MM) CP-1(b) – identification of what resource is being mitigated.

The HPC appreciates the opportunity to participate in review of this environmental document.

Sincerely,



Charles Chase, President  
Historic Preservation Commission



Bill Wycko/CTYPLN/SFGOV  
03/30/2011 05:07 PM

To Chelsea Fordham/CTYPLN/SFGOV@SFGOV  
cc  
bcc  
Subject Fw: EIR/Pier 36/Brannan Wharf

For Follow Up: Normal Priority

----- Forwarded by Bill Wycko/CTYPLN/SFGOV on 03/30/2011 05:08 PM -----



Katharine Cosovich  
<kgcoso@gmail.com>  
Sent by: jtcoso@gmail.com

To Bill Wycko <bill.wycko@sfgov.org>  
cc  
Subject EIR/Pier 36/Brannan Wharf

03/30/2011 04:21 PM

Please respond to  
kgcoso@gmail.com

Bill Wycko,

I am a resident at 88 King St, and a frequent walker along the waterfront between the Ferry Bldg and ATT Park. I look forward to the planned improvements along the water front. I have seen the posted notices soliciting public comment on the Pier 36/Brannan Wharf project and have read the online outline of the EIR and would like to comment on the *Project Objectives, p. 47*:

My main concern is that the grassy area will be just another "dog bathroom" and not an area to be enjoyed by all citizens for picnicking, recreation, etc.--an area where children can safely turn somersaults and play catch without rolling around in dog excrement. My unit looks out at the grassy area near Pier 40/South Beach Marina which is now almost exclusively an area for off-leash dogs to play and relieve themselves. The raised areas in front of the yacht club/harbor patrol bldg are marked with small "no dogs" sign which are widely ignored. Most owners clean up after their dogs but not really enough to make it pleasant or safe for other family activities. Let's admit that the waterfront beauty is lost on the dogs.

My question is: **Is there some way to plan this grassy area so that it is not exclusively used as a "dog bathroom"?** Please give this concern some consideration as you go ahead with this major improvement. Many thanks.

Katharine  
cosovich



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## **APPENDIX 2:**

TRANSCRIPT OF DEIR PUBLIC HEARING

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SAN FRANCISCO PLANNING COMMISSION MEETING  
In re: BRANNAN STREET WHARF DRAFT EIR

San Francisco City Hall  
1 Dr. Carlton B. Goodlett Place  
Suite 400, San Francisco, California  
Thursday, March 24, 2011

REPORTED BY:  
SANDRA S. PETRITSCH, CSR No. 11684

PAGES 1 - 7

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APPEARANCES OF COUNSEL:

PANEL OF COMMISSIONERS:

CHRISTINA R. OLAGUE, President

RON MIGUEL, Vice-President

KATHRIN MOORE

HISASHI B. SUGAYA

RODNEY A. FONG

MICHAEL ANTONINI

GWYNETH BORDEN

JOHN S. RAHAM

SCOTT SANCHEZ

LINDA D. AVERY, Commission Secretary

FOR PIER 36/BRANNAN STREET WHARF:

PORT OF SAN FRANCISCO

BY: CHELSEA FORDHAM, EIR Coordinator

DIANE OSHIMA, Assistant Deputy Director

Pier One

San Francisco, California 94111

415.274.0553

1 Thursday, March 24, 2011; San Francisco, California

2 2:45 p.m.

3 -- oOo --

4  
5 PROCEEDINGS

6 MS. AVERY: Item 15. Case Number 2009.0418E,  
7 Pier 36/Brannan Street Wharf. This is a public hearing on  
8 the Draft Environmental Impact Report.

9 MS. FORDHAM: Good afternoon, President Olague  
10 and Members of the Commission. I'm Chelsea Fordham from  
11 the major environmental analysis section of the planning  
12 department. This is department Case Number 2009.0418E,  
13 the Pier 36/Brannan Street Wharf project. The purpose of  
14 today's hearing is to take public comment on the accuracy  
15 and completeness of the draft EIR and no approval actually  
16 is requested.

17 I would like to briefly introduce you to the  
18 project team. With me today is Diana Oshima, director of  
19 the waterfront planning; Mark Titus, preservation planner;  
20 and Steven Real, project manager, all for the Port of San  
21 Francisco. The proposed project involves the demolition  
22 of Pier 36, including 133,000 square feet of  
23 pile-supported decks and piles. The 35,000 square foot  
24 Pier 36 warehouse building, and 18,800 square feet of  
25 bulkhead wharf Section 11, 11A and 12 which runs between

Page 3

1 Pier 30 to 32 and Pier 38 and construction of a 57,000  
2 square foot open space park, "the Brannan Street Wharf"  
3 which would be approximately 830 feet long and vary in  
4 width from 10 feet to 140 feet.

5 The park would consist of a raised lawn and a  
6 2,000 square-foot craft float. The construction of the  
7 Brannan Street Wharf would require driving 269 new piles  
8 and reinforcing the adjacent seawall. The planning  
9 department prepared an EIR for this project because it  
10 will have a significant impact on the environment, fill  
11 historic architectural resources and air quality.

12 The D-EIR was reviewed at the hearing on March  
13 16, 2011 of the historic preservation commission. And I  
14 have just provided you with a copy of their comment  
15 letter.

16 Staff published this draft EIR on February 9,  
17 2011. And it has a 48-day public review period which  
18 closes this next Monday on March 28, 2011. For those who  
19 are interested in commenting on the draft EIR in writing,  
20 they may submit their comments to the environmental review  
21 officer at 1650 Mission Street, Suite 400, San Francisco,  
22 California 94103. For members of the public who are at  
23 this hearing today, please state your name and address for  
24 the record. All comments will be transcribed and  
25 responded to in the comments for responses document. For

1 those who have commented, they will receive a copy of this  
2 document prior to EIR certification or any approval action  
3 taken on this project.

4 This concludes my presentation on this matter.  
5 And unless the commission members have questions, I would  
6 respectfully suggest that the public hearing be opened.

7 COMMISSIONER OLAGUE: Let's open up the public  
8 hearing at this time.

9 Is there any comment on this item? Seeing none,  
10 public comments is closed.

11 Commissioner Fong?

12 COMMISSIONER FONG: I just want to make a  
13 comment on the question for support of -- for everyone who  
14 sees the wharf and sees the port, sees the dilapidated  
15 pier and says, I can't really park there. It won't be  
16 safe. So all of our work is populated on the dilapidated  
17 pier and . . . (unintelligible) hopefully the fruits of  
18 that labor.

19 COMMISSIONER OLAGUE: Commissioner Moore?

20 COMMISSIONER MOORE: This project is one part of  
21 a much larger open space that -- it complements and fills  
22 out everything which ties the waterfront together as one  
23 kind of thoughtful project. I do believe that this  
24 preservation -- that the commission uncertify something  
25 which needs to be considered, and I am supportive of their

1 input. And so I am generally quite supportive about where  
2 this is going.

3 COMMISSIONER OLAGUE: Commissioner Miguel?

4 COMMISSIONER MIGUEL: I am also very supportive  
5 of the project. And what we have created in this area is  
6 the change from the former use of the port to what we have  
7 here now, which is a residential misuse of the community.  
8 And that type of community, as well as the city itself,  
9 may well make use of the recreational facilities in this  
10 particular area. We talked about having parks and  
11 recreational uses. We've talked of areas such as Treasure  
12 Island, Hunter's Point, and other areas in the city where  
13 major projects are coming in.

14 This is an area in the city where major projects  
15 have already come in and yet that provision was not truly  
16 made in the manner it should have been. And to me this is  
17 a correction of that. It's not too late, but something  
18 that should happen.

19 COMMISSIONER OLAGUE: Thank you.

20 MS. AVERY: Since there is no other comments by  
21 the commission and public opinion is closed, that would  
22 conclude this item.

23 COMMISSIONER OLAGUE: Thank you.

24 (TIME NOTED: 2:56 p.m.)

25

1 STATE OF CALIFORNIA ) ss.  
2 COUNTY OF ALAMEDA )

3  
4 I, SANDRA S. PETRITSCH, CSR No. 11684, do hereby  
5 certify:

6 That the foregoing proceedings was taken  
7 before me at the time and place therein set forth and  
8 were recorded stenographically by me, and were thereafter  
9 transcribed under my direction and supervision, and that  
10 the foregoing pages contain a full, true and accurate  
11 record of all proceedings to the best of my skill and  
12 ability.

13 I further certify that I am neither counsel for any  
14 party to said action, nor am I related to any party to  
15 said action, nor am I in any way interested in the  
16 outcome thereof.

17 IN WITNESS WHEREOF, I have subscribed my name this  
18 6th day of April, 2011.

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SANDRA S. PETRITSCH, CSR No. 11684